

12-11-16

United States District Court
Southern District of Texas

FILED

DEC 15 2016

To: Clerk of Court
United States District Court
Southern District of Texas

David J. Bradley, Clerk of Court

Re: Update protective federal Habeas petition 2254
4:16-cv-02219 Noe Armando Artiga U. Lori Davis

This Letter is to notify the Court as soon as the mandate in the transcript appeal I had is issued I will promptly be filing my State Habeas Corpus. On November 12 2016 The 1st Court of Appeals erroneously dismissed my Habeas Corpus thinking the appeal I had attacked my conviction. The appeal I had in the first Court of Appeals was over the denial of a free request for a copy of my transcripts in a motion I filed. On November 30 2016 the 1st Court of Appeals ordered my appeal dismissed but ordered the trial court Clerk to send me a free copy of my transcripts.

The trial court Clerk sent me my transcripts and after revising my Habeas Corpus I am ready to file it again. The only thing that has been preventing me is since the trial court erroneously sees the appeal I had as attacking my conviction I must wait until the mandate is issued.

In light of this I have filed the attached motion requesting to expedite the Court of Appeals mandate. Once the mandate is issued I will file my Habeas corpus as soon as possible.

* This letter is to notify you I am still requesting a stay in this proceeding and will notify you with request to lift it once the state court rules on its merits.

Sincerely,

Noe Armando Artiga
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